

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ANNE BRUMBAUGH, GARY L.)
HARMON AND RANDY K. GRIFFIN, on)
behalf of themselves and all others)
similarly situated,)
)
Plaintiffs,) Civil Action No. 3:04-CV-30022 (MAP)
)
v.)
)
WAVE SYSTEMS CORPORATION,)
STEVEN K. SPRAGUE, and GERARD T.)
FEENEY,)
)
Defendants.)

PLAINTIFFS' ASSENTED-TO MOTION FOR LEAVE TO EXCEED PAGE LIMIT

Plaintiffs respectfully move this Court for leave to submit the accompanying 34 page Memorandum of Law in Opposition to Defendants' Motion to Dismiss the consolidated Amended Class action Complaint, in excess of the standing 20-page limit provided in Local Rule 7.1(B)(4).

As grounds for this Motion for Leave to Exceed Page Limit (“Motion”), Plaintiffs state as follows:

1. Plaintiffs need the additional pages to thoroughly address the issues raised by Defendants' 43-page memorandum in support of their motion to dismiss.
2. Defendants sought and obtained leave to exceed the page limit for their memorandum in support of their motion to dismiss, and Plaintiffs assented to that request.
3. Defendants assent to the relief sought by this Motion.

WHEREFORE, Plaintiffs respectfully request leave to submit a Memorandum of Law in Support of their Motion to Dismiss the Consolidated Amended Class Action Complaint in excess of the 20-page limit.

CERTIFICATION PURSUANT TO LOCAL RULE 7.1(A)(2)

I hereby certify that counsel for Plaintiffs have conferred with counsel for Defendants in a good faith effort to resolve or narrow the issues presented in this motion. Counsel for Defendants' assent to the relief sought by this motion.

Dated: March 4, 2005

Respectfully submitted,

/s/David Pastor

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